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11 Attorneys for Defendant Merchant Industry LLC

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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **OAKLAND DIVISION**

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18 **ABANTE ROOTER AND PLUMBING,**
19 **INC.**, a California corporation, individually
20 and on behalf of all others similarly
21 situated,

22 Plaintiff,

23 v.

24 **UNLOCKED BUSINESS STRATEGIES,**
25 **INC.**, et al.,

26 Defendants.

27 Case No. 4:19-cv-07966-JST

28 **STIPULATION TO LIFT CLERK'S**
ENTRY OF DEFAULT DATED JULY 13,
2020 AS TO DEFENDANT MERCHANT
INDUSTRY LLC

1 Now come Plaintiff Abante Rooter and Plumbing, Inc. and Defendant Merchant
2 Industry LLC, by their respective counsel, and stipulate as follows:

3 WHEREAS, Plaintiff filed its Second Amended Class Action Complaint ("SAC"),
4 adding Defendant Merchant Industry LLC as a Defendant, on April 20, 2020;

5 WHEREAS, Plaintiff filed a proof of service attesting that service of the summons
6 and SAC on Defendant had been completed on April 24, 2020;

7 WHEREAS, Defendant contests service and denies that it was properly served
8 with the summons and SAC on April 24, 2020;

9 WHEREAS, on July 13, 2020, the Clerk entered default as to Defendant Merchant
10 Industry LLC;

11 WHEREAS, the parties now stipulate to lift the Clerk's entry of default against
12 Defendant Merchant Industry LLC entered on July 13, 2020;

13 WHEREAS, the parties further stipulate that Defendant Merchant Industry LLC
14 shall have until September 18, 2020 to respond to the SAC.

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16 **IT IS SO STIPULATED.**

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18 Respectfully Submitted,

19 Dated: August 18, 2020

KRONENBERGER ROSENFIELD, LLP

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21 By: s/ Karl S. Kronenberger
Karl S. Kronenberger

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23 Attorneys for Defendant Merchant Industry
LLC

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25 Dated: August 18, 2020

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27 By: s/ Taylor Smith
Taylor Smith

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Attorneys for Plaintiff

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Local Rule 5-1(i)(3), the filer hereby attests that concurrence in the filing of this document has been obtained from each of the other signatories, which shall serve in lieu of their signatures on the document.

s/ Karl S. Kronenberger

Karl S. Kronenberger

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